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January 10, 2025

The request is GRANTED.

The Clerk of Court of directed to terminate the
motion at Dkt. 222.

SO ORDERED.



Arun Subramanian, U.S.D.J.

Dated: January 10, 2025

BY ECF FILING

Honorable Arun Subramanian
United State District Judge
Southern District of New York
500 Pearl Street, Courtroom 15A
New York, New York 10007

RE: *Augenbaum v. Anson Investments Master Fund, LP, et al.*,
No. 1:22-cv-0249-AS

Dear Judge Subramanian:

This office represents Defendant CVI Investments, Inc. in the above-referenced action. We write on behalf of all parties to jointly propose a protocol for the sealing and redaction of the forthcoming summary judgment and *Daubert* motion papers that are due to be filed on Wednesday, January 15, 2025.

Next week's submissions will include not only memoranda of law in support of Plaintiff's and Defendants' motions, but also numerous exhibits (including deposition transcripts and proposed expert reports) and Local Rule 56.1 statements. These submissions are expected to include the confidential information of parties in this case as well as of certain third parties. It would be extremely cumbersome for all necessary parties to meet and confer substantively and present a narrowly-tailored set of proposed redactions to the Court in advance of finalizing the various filings.

Accordingly, to permit a meet-and-confer process that is best suited to minimize and narrowly tailor any requests to redact or seal documents, the parties respectfully request the Court's authorization to file all of their summary judgment

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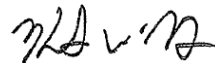
motion papers initially under seal on January 15, 2025. Thereafter, and very mindful of the Court's directions in Rule 11 of its Individual Practices in Civil Cases, the parties will meet and confer regarding the filings and, ***within two weeks of having made those filings***, will present to the Court a narrowly-tailored request for leave to redact or maintain certain of the documents under seal. Following the Court's decision regarding any request to seal or redact, the parties would promptly file a complete public version of the documents.

If the Court is amenable to the foregoing method of proceeding, the parties would propose to adopt the same approach with respect to opposition and reply papers on those motions, in each case submitting a redaction and/or sealing proposal within two weeks of the respective filing.

Further, with the Court's permission, the parties propose not to file copies of the Defendants' voluminous trading records with their summary judgment papers. The parties would propose to meet and confer following the completion of all summary judgment and *Daubert* motion briefing to determine which if any trading records need be submitted for the Court's resolution of those motions and whether any such records require redaction or sealing (again, mindful of the Court's directions in Rule 11 of its Individual Practices in Civil Cases). The parties would reserve all of their rights to make contentions in their motion papers or otherwise regarding those records and to dispute other parties' contentions regarding those records. If at any time the Court wished the parties to submit some or all of those records for its review, the parties would be prepared to file them promptly.

The parties are available at the Court's convenience to discuss the foregoing. We thank the Court for its consideration of this proposal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kurt Wm. Hemr', written in a cursive style.

Kurt Wm. Hemr

cc: All counsel of record (by ECF filing)